

EXHIBIT 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

(Alexandria Division)

MICHAEL H. RYU,)	
)	
Plaintiff,)	
v.)	C.A. #1:15-cv-202 (CMH/JFA)
)	
WANDA F. BRYANT, <i>et al.</i> ,)	
)	
Defendant.)	

Declaration of Victor M. Glasberg

I, Victor M. Glasberg, plaintiff's counsel, declare under penalty of perjury, pursuant to *Fed.R.Civ.P.* 56(f), that plaintiff requires the following discovery before defendants' pending motions to dismiss, converted by their submissions into motions for summary judgment, may be properly adjudicated:

1. To the extent the question of who the plaintiff was or who the plaintiffs were in the case of *County of Warren, Virginia on behalf of Wanda F. Bryant, Treasurer v. CS Property, Inc.* is found to be a factual as opposed to merely legal question, discovery is needed to resolve the matter. Discovery addressed to the parties should clarify the matter promptly.

2. To the extent the defense contends that the county is not liable under §1983 for the consequences of defendant Dan Whitten's wrongfully having plaintiff Michael Ryu arrested, discovery is needed to determine whether Mr. Whitten was the county's "policymaker" for relevant purposes within the meaning of *Pembauer v. City of Cincinnati*, 475 U.S. 469 (1986). Depositions of Mr. Whitten, Blaire Mitchell and possibly the county executive, and production of relevant documents from the county, should promptly clarify this.



Dated: April 7, 2015



Victor M. Glasberg